

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JUUL LABS, INC., Plaintiff, v. KING DISTRIBUTION LLC, XTRA SMOKE SHOP LLC, FADI SALIM, and JOHN DOEs 1 – 50, Defendants.	CIVIL ACTION NO. 18-9233 (SDW) Affidavit of Defendant Fadi Salim Detailing Defendants' Compliance with the terms of the June 22, 2018 Consent Preliminary Injunction Order Entered in this Matter
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FADI SALIM, being duly sworn, deposes and says:

1) I am a Defendant in the above-captioned matter and make this Affidavit based on my own personal knowledge to demonstrate all actions taken by me and the Defendants King Distribution LLC and Xtra Smoke Shop LLC (collectively the “King Defendants”) to comply with the terms of Paragraph 4 of the June 22, 2018 Consent Preliminary Injunction (the “Consent Order”) entered in this matter.

2) In order to comply with Paragraph 2 of the Consent Order, the King Defendants have ceased from purchasing, selling, offering for sale, promoting, displaying, advertising, marketing, or otherwise disposing in any manner of “3X Product” as defined in Paragraph 1 of the Consent Order. Further, although the King Defendants were in no way involved in the design or creation of the allegedly infringing materials at issue in this case (they were provided to us by the Manufacturer), since entry of the Consent Order we have in no way sought to directly or indirectly adopt, use, register, or seek to register any trademark, service mark or other type of mark, material, company, business or domain name, or other name, that would cause a likelihood

of confusion with, tarnish, dilute, cause blurring, lessen the significance or value of, or otherwise infringe upon Plaintiff Juul Labs, Inc.'s ("Juul") trademarks, trade dress or copyrights, as alleged in the Verified Complaint .

3) In order to comply with Paragraph 3 of the Consent Order, on or about May 24, 2018, the King Defendants delivered to our counsel, Mr. Golub's, office all responsive 3X Product in our possession, custody, or control, consisting of approximately 30 boxes of 3X Product (excluding, as per Paragraph 3 of the Consent Order, approximately 200 – 300 boxes of 3X Product that is the subject of ongoing negotiations between the Parties). Attached hereto as Exhibit A is a true copy of the May 25, 2018 cover letter by which Mr. Golub, at the direction of counsel for Juul, delivered these boxes to Juul's counsel's office in Washington, DC, and the Federal Express delivery confirmation. Since service of the Consent Order on the resellers identified in Paragraph 8(c) of this Affidavit, several of those resellers have asked me to take back 3X Product that was previously sold to them. To date, I have taken back approximately 40 – 50 boxes, which I have stored in a King Distribution warehouse.

4) In order to comply with Paragraph 4 of the Consent Order, I submit this Affidavit on behalf of the King Defendants.

5) In order to comply with Paragraph 5 of the Consent Order, the King Defendants have preserved and maintained, and have not destroyed or deleted, all e-mails, other electronic information, documents, tangible evidence and other forms of information referring or in any way relating to the subject matter of this case. To date, no such information has been requested by the Plaintiff.

6) In order to comply with Paragraph 6 of the Consent Order, on May 22, 2018, Mr. Golub identified to counsel for Juul via e-mail the identity, address, and phone number of the

manufacturer of all of the 3X Product that we ever obtained, KEEP VAPOR ELECTRONIC TECHNOLOGY CO., LIMITED, which is located in China (the “Manufacturer”). The King Defendants do not own the 3X name or products, and had nothing to do with the design of the 3X product or the design of the 3X packaging that are the subject of this lawsuit; both the product and the packaging designs were provided to us by the Manufacturer.

7) In order to comply with Paragraph 7 of the Consent Order:

- (a) By e-mail on May 22, 2018, counsel for the King Defendants tendered to counsel for Juul six (6) different proposed redesigns of the 3X Product packaging that were prepared, at my request, by the Manufacturer, along with a request for draft disclaimer language that counsel for Juul had proposed be included on such packaging. A true copy of this e-mail and the proposed redesigns is attached as Exhibit B;
- (b) By 4-page letter dated May 25, 2018, counsel for Juul detailed extensive feedback to the May 22nd proposed packaging designs, with requests for significant changes. In response, the King Defendants provided another significant re-design of the 3X Product packaging via e-mail on May 29, 2018, a true copy of which is attached as Exhibit C. This May 29th redesign was prepared, at my request, by the Manufacturer.
- (c) By e-mail dated May 29, 2018, counsel for Juul requested additional images of the May 29th proposed packaging redesigns, including “head on” views of the front and back of the packaging, pictures of the pod itself, and the front and back of the proposed blister packs. The King Defendants responded via e-mail with additional images on May 30, 2018 and May 31, 2018, true copies of which are attached, respectively, as Exhibits D and E. These May 30th and May 31st images were prepared, at my request, by the Manufacturer.
- (d) Juul responded to the May 30th and 31st images via e-mail on June 5, 2018, providing 8 specific requests to be implemented. The King Defendants responded via e-mail on June 7th with yet another significant redesign of the 3X Product packaging, a true copy of which is attached hereto as Exhibit F. The June 7th redesign was prepared, at my request, by the Manufacturer.
- (e) Juul did not respond to the June 7th redesign until June 19th, in which it identified 3 remaining issues, including 2 specific redesign requests. The King Defendants have already requested that the Manufacturer implement the 2 remaining redesign requests, and will provide same to Juul as soon as possible.

8) In order to comply with Paragraph 8 of the Consent Order, on or about May 25, 2018 the King Defendants provided a copy of the Consent Order to the following:

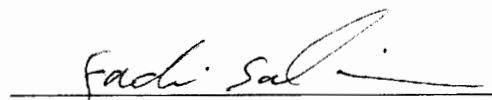
- (a) Employees – A copy of the Consent Order was delivered by hand to all employees: John Kalousie; Ahid Nasrala; and Marah Aldaboul.
- (b) Manufacturer – A copy of the Consent Order was delivered via e-mail to the Manufacturer. A true copy of the accompanying cover letter dated Maty 25, 2018 is annexed as Exhibit G.
- (c) Resellers/Retailers – A copy of the Consent Order was delivered via e-mail (when known) and/or Federal Express delivery to the following resellers/retailers:
 - (i) 7/ELEVEN
564 Route 22
North Plainfield, NJ 07060
Patel_prakash43@yahoo.com
 - (ii) BAYSIDE COMPANY
9079 4th St N
Saint Petersburg, FL 33702
parsons.brian716@outlook.com
 - (iii) BOSTON WHOLESALE OUTLET
156 Williams Street
Chelsea, MA 02150
Bostonwholesaleoutlet@gmail.com
 - (iv) CEDAR SMOKE INC
2 Arnot St.
Lodi, NJ 07644
 - (v) JAY JAY DISTRIBUTORS, INC.
280 North Midland Ave.
Building #H-3
Saddle Brook, NJ 07663
hpuja1@gmail.com
 - (vi) KP WHOLESALERS LLC
17A Progress Street
Edison, NJ 08820

- (vii) LITTLE FALLS CORP
355 US Highway 46 E
Little Falls, NJ 07424
- (viii) MAC'S DISTRIBUTION & WHOLESALE LLC
1 Comanche Trail
Vernon, NJ 07462
- (ix) EXCELENTE SMOKE SHOP, LLC.
919 Main Street
Paterson, NJ 07503
- (x) JOE GRODZICKI
4 Paris Ave
Edison, NJ 08820

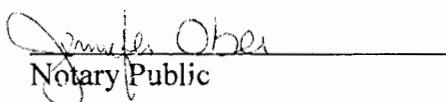
True copies of the accompanying cover letter, e-mails (when known), and/or the FedEx delivery confirmations are annexed hereto, in the order listed above, as Exhibit H.

I swear under penalty of perjury that the above statements are true and correct to the best of my knowledge, information, and belief.

Dated: June 20, 2018



Subscribed and sworn to on this
20th day of June, 2018.



Notary Public

JENNIFER L. OBER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 4/13/2022

EXHIBIT “A”



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery (Cover Letter and Enclosures) and E-mail (Cover Letter Only)

Sterne, Kessler, Goldstein & Fox P.L.L.C.
1100 New York Avenue NW
Washington, DC 20005
ATTN: Nirav N. Desai, Esq.

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

Dear Nirav:

Following up on my e-mail from this morning, pursuant to the obligations set forth under Paragraph 3 of the May 22, 2018 Consent Preliminary Injunction Order entered in this matter (the "Order"), enclosed please find all of the responsive 3X material that was in my clients' possession, consisting of approximately 30 boxes of 3X product (each box contains 10 packages, each package contains 4 pods).

Note that we are still awaiting your client's feedback on the six (6) 3X packaging re-designs that I forwarded on 5/22/2018, as well as any proposed disclaimer language that your client would like to propose be included on 3X packaging.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alan S. Golub'. It is a cursive script with a distinct 'G' and 'L'.

Alan S. Golub

Enclosures

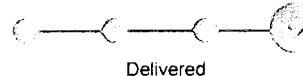
cc: All counsel of record (via e-mail, Cover Letter only)

Your package has been delivered

Tracking # 772326916890

Ship date
Fri, 5/25/2018

Michelle Oswald
Fein, Such, Kahn & Shepard, PC
Parsippany, NJ 07054
US



Delivery date
Tue, 5/29/2018 1:25 pm

Nirav N. Desai, Esq.
Sterne, Kessler, Goldstein & Fox
1100 New York Avenue NW
WASHINGTON DC 20005
US



Shipment Facts

Our records indicate that the following package has been delivered

Tracking number:	<u>772326916890</u>
Status:	Delivered 05/29/2018 1:25 PM Signed for by: A ROBINSON
Reference:	K605-1
Signed for by:	A ROBINSON
Delivery location:	WASHINGTON, DC
Delivered to:	Shipping/Receiving
Service type:	FedEx Standard Overnight
Packaging type:	Your Packaging
Number of pieces:	1
Weight:	20.00 lb
Special handling/Services:	Adult Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 12:01 PM CDT on 05/29/2018.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Delays and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

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Thank you for your business.

EXHIBIT “B”

Alan Golub

From: Alan Golub
Sent: Tuesday, May 22, 2018 1:03 PM
To: 'Arnie Calmann'; Nirav N. Desai; Dennies Varughese; Monica Riva Talley; Dana Justus; Jakob B. Halpern; Monvan Hu
Cc: Gregg Tabakin
Subject: RE: Juul Labs, Inc. v. King Distrb. et. al
Attachments: 2018-05-22 Revised Packaging Designs for 3X Products.jpg

e2DraftID: c09b041864

All –

As discussed on our call today, attached please see the 6 additional new packaging designs for 3X products. As also discussed, Juul is interested in 3X including some disclaimer language on its packaging in order to further distinguish it from Juul. You agreed to provide draft disclaimer language, which I ask you to provide as soon as possible.

Thank you,
Alan

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
Visit our website at: www.feinsuch.com

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From: Arnie Calmann <ACalmann@saiber.com>
Sent: Tuesday, May 22, 2018 3:26 AM
To: Alan Golub <agolub@feinsuch.com>
Cc: Nirav N. Desai <NDESAI@sternekessler.com>; Dennies Varughese <DVARUGHE@sternekessler.com>; Monica Riva Talley <MTALLEY@sternekessler.com>; Dana Justus <DJUSTUS@sternekessler.com>; Jakob B. Halpern <JHalpern@saiber.com>; Monvan Hu <MHu@saiber.com>; Gregg Tabakin <gtabakin@feinsuch.com>
Subject: RE: Juul Labs, Inc. v. King Distrb. et. al

Hi Alan,

I apologize for the delay in responding to your below email. I have been traveling and am in Seattle at the moment, and was unable to catch up until now.

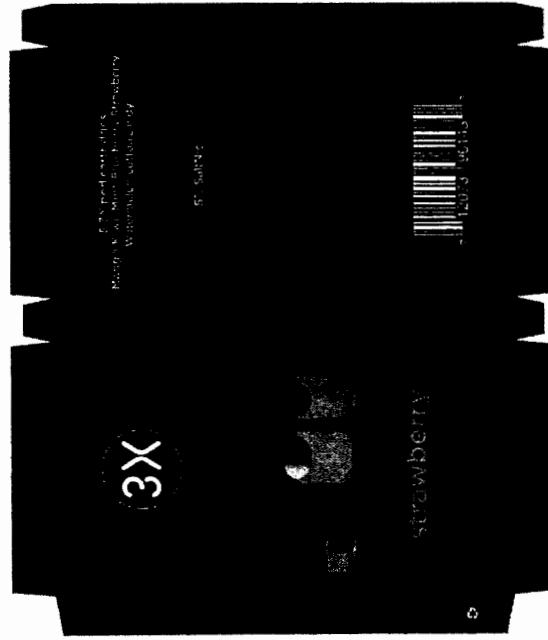
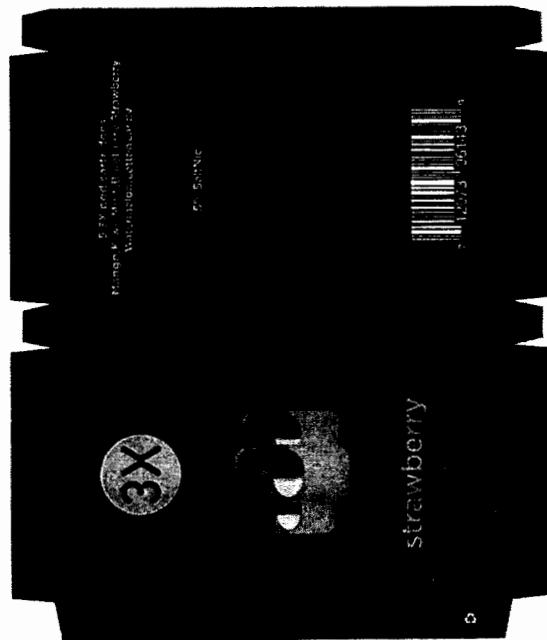
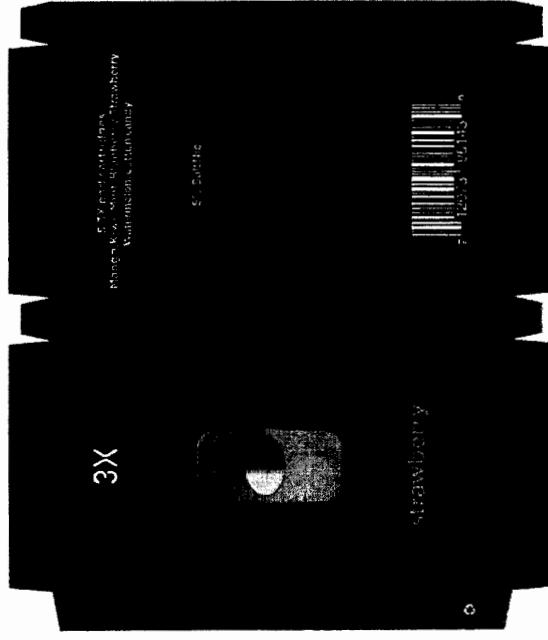
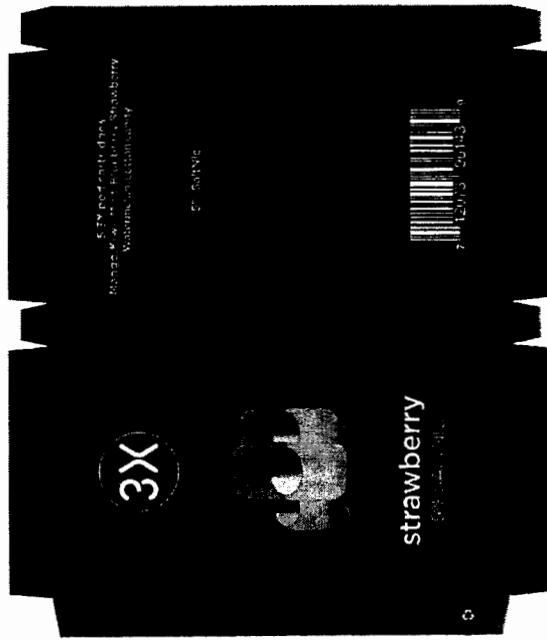
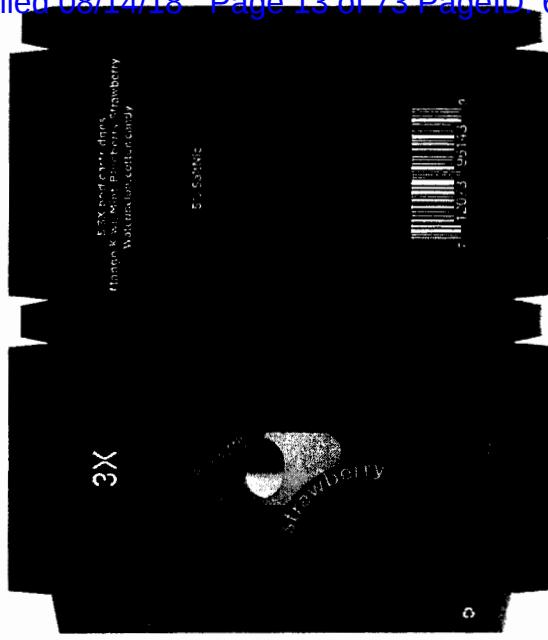
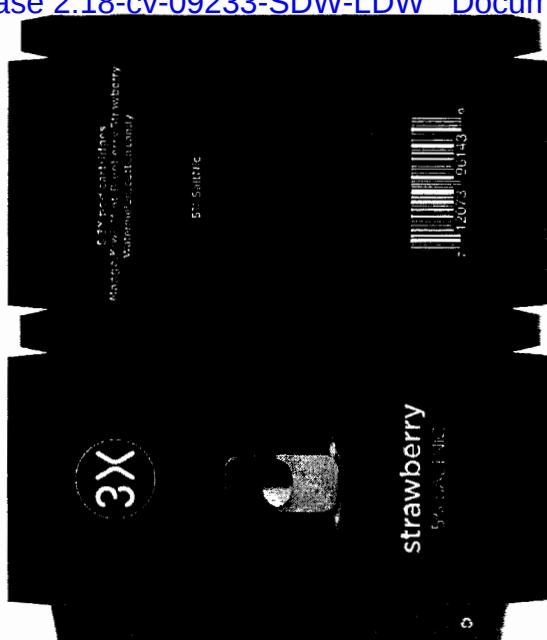


EXHIBIT “C”

Alan Golub

From: Alan Golub
Sent: Tuesday, May 29, 2018 12:52 PM
To: 'Nirav N. Desai'
Cc: Maria Cabico; Yugo Nagashima; Dennies Varughese; Monica Riva Talley; Dana Justus; 'acalmann@saiber.com'; 'jhalpern@saiber.com'; Gregg Tabakin
Subject: Juul Labs v. King Distribution
Attachments: Front Packaging 001.jpg; Front Packaging 002.jpg; Front Packaging 003.jpg; Back Packaging 001.jpg; Back Packaging 002.jpg; Back Packaging 003.jpg; Blister Pack - Back Side.jpg

Nirav – Attached please see sample illustrations of the package redesigns my client has done based on the requests set forth in your letter of May 25, 2018. As you will see, significant changes have been made, including the following:

1. The pod image has been redesigned to eliminate the hexagonal, oval, and diamond shaped windows, and instead includes an upward pointing arrow shape that is clearly distinguishable from Juul's trademark illustration. The pod has further been redesigned to eliminate black as a color and is now blue and pink.
2. The general monochromatic look of Juul's design is nowhere to be found – the redesign incorporates white, black, blue, and pink.
3. The requested disclaimer of any association with Juul is now included at the bottom front of the package.
4. The source of the goods (King Disribution, LLC) is clearly identified at the very top of the back of the package.
5. All text and images are now centered on the front of the package.
6. The hexagonal cutout used to open the package has been eliminated.
7. The product dimensions have been completely revised to make it longer (Juul's 4.25" vs. 3X's 4.37" long), less wide (Juul's 2.5" vs. 3X's 2.08"), and less deep (Juul's 0.5" vs. 3X's 0.41").
8. The back of the inside blister pack has been revised to include clear 3X stamps across the entire pack.
9. The wording on the front and back of the package has been revised and reordered to distinguish it from Juul's wording; certain wording, such as ingredients and warnings are required.

My clients have advised that, once agreed upon, these design changes will be implemented across all 3X packaging, marketing, advertising, and promotion within their control.

Please review and let me know as soon as possible your client's position. Given the extensive changes, including the express disclaimer, the complete redesign, and the changes to the very dimensions of the packaging, it seems to me that there is no longer any likelihood of confusion with your client's products.

Let's plan on having a call at 4 pm to discuss where things stand, and whether we have made sufficient progress to jointly request an extension of the Consent Order, which expires today.

Thank you,
Alan

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054

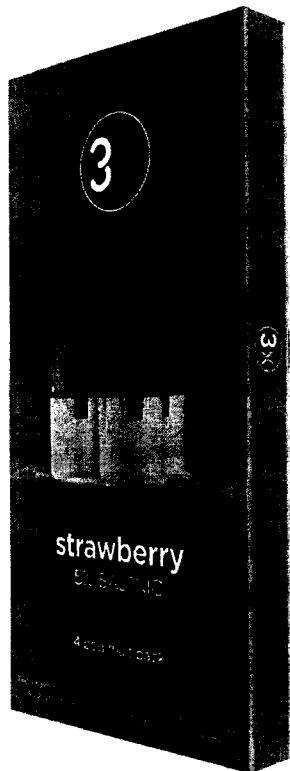
Tel: (973) 538-4700 Ext 3282

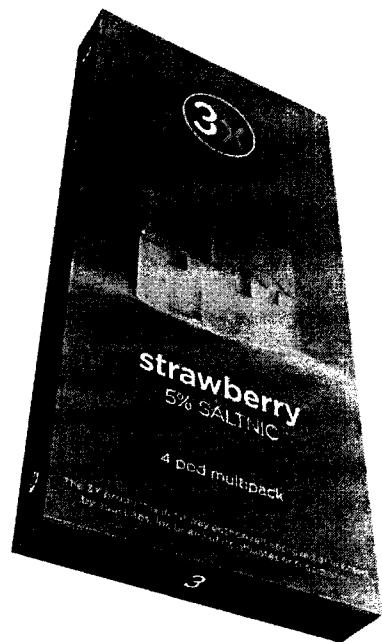
Fax: (973) 397-2976

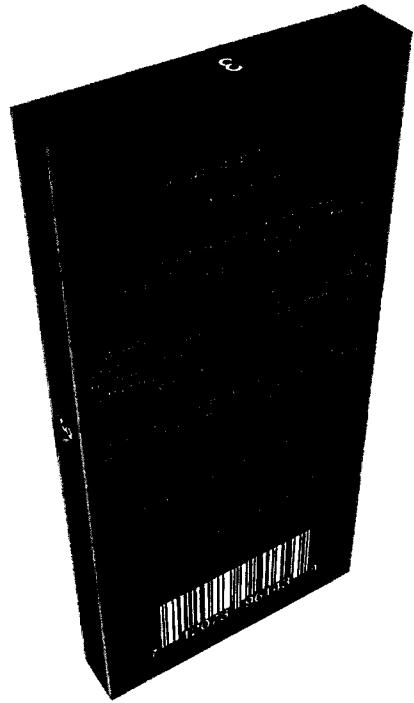
Visit our website at: www.feinsuch.com

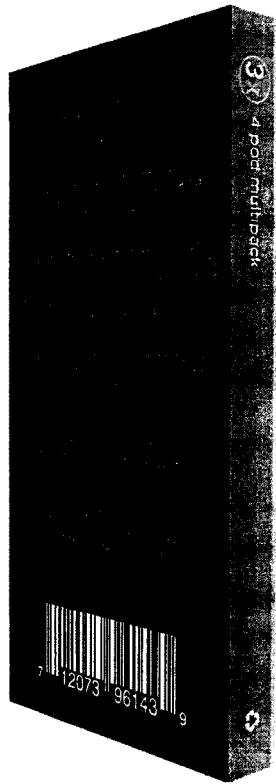
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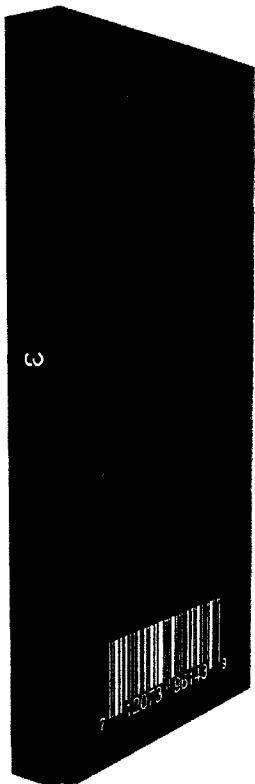












BLISTER CARD FOR 3X ----Back Side ..

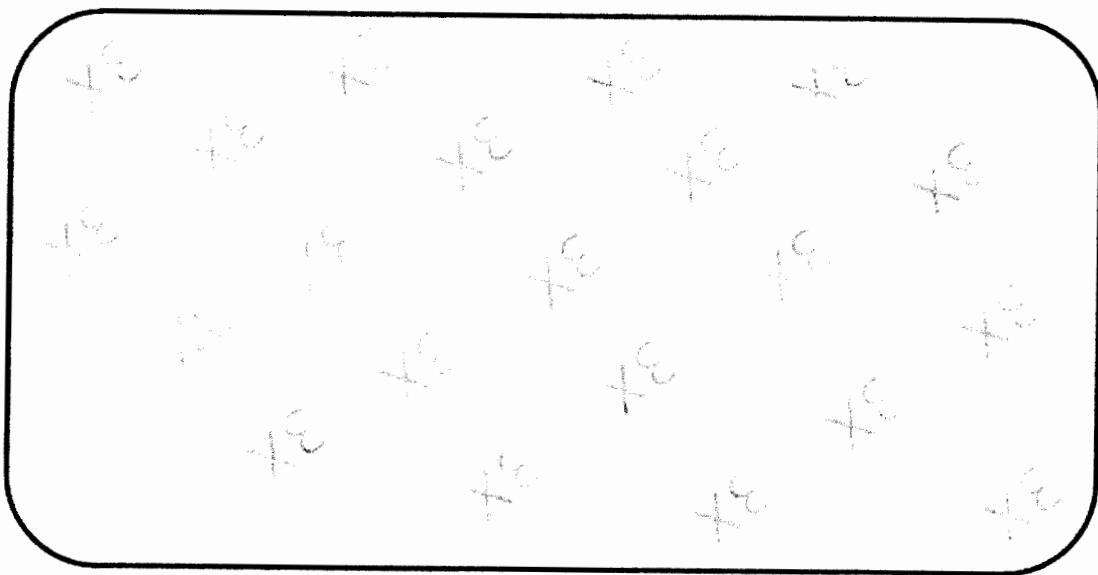


EXHIBIT “D”

Alan Golub

From: Alan Golub
Sent: Wednesday, May 30, 2018 3:42 PM
To: 'Nirav N. Desai'
Cc: Maria Cabico; Yugo Nagashima; Dennies Varughese; Monica Riva Talley; Dana Justus; 'acalmann@saiber.com'; 'jhalpern@saiber.com'; Gregg Tabakin
Subject: RE: Juul Labs v. King Distribution
Attachments: 3x blister design - front-back.jpg; 3X pod 1ML concept design.jpg; packaging001-front.jpg; packaging002-front.jpg; packaging003-front.jpg; packaging004-front.jpg; packaging005-front.jpg; packaging006-back.jpg

e2DraftID: b27a0add5b

Nirav – In response to your request last night for additional images of the redesign, please see attached, consisting of a concept draft showing the front and back of the blister pack, and a concept drawing of the redesigned pod (showing front, sides, and back). Also attached are 5 images showing the front of the packaging and 1 image showing the back, which collectively should be sufficient to address any readability issues.

Thanks,
Alan

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
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Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
Visit our website at: www.feinsuch.com

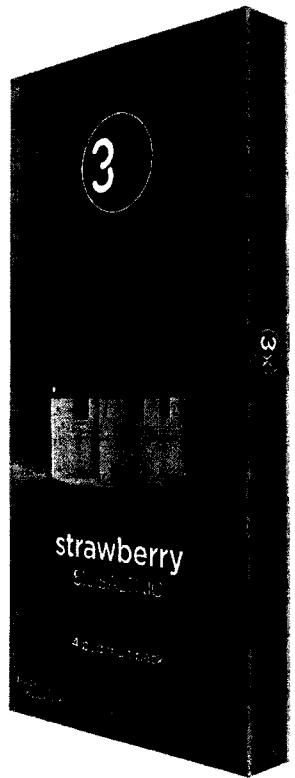
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From: Nirav N. Desai <NDESAI@sternekessler.com>
Sent: Tuesday, May 29, 2018 10:51 PM
To: Alan Golub <agolub@feinsuch.com>
Cc: Maria Cabico <MCABICO@sternekessler.com>; Yugo Nagashima <YNagashima@sternekessler.com>; Dennies Varughese <DVARUGHE@sternekessler.com>; Monica Riva Talley <MTALLEY@sternekessler.com>; Dana Justus <DJUSTUS@sternekessler.com>; 'acalmann@saiber.com' <acalmann@saiber.com>; 'jhalpern@saiber.com' <jhalpern@saiber.com>; Gregg Tabakin <gtabakin@feinsuch.com>
Subject: RE: Juul Labs v. King Distribution

Alan,

We're considering the redesigns you sent over this afternoon and conferring with our client. We feel the changes are a step in the right direction, but we're having trouble discerning the relative position of the elements to one another and



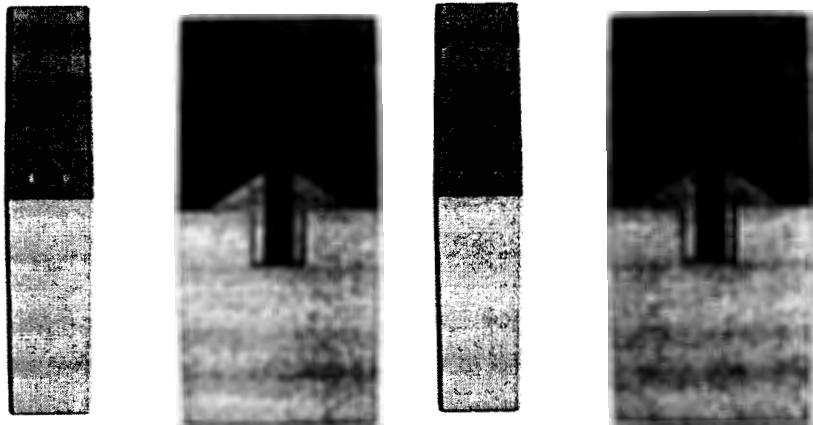


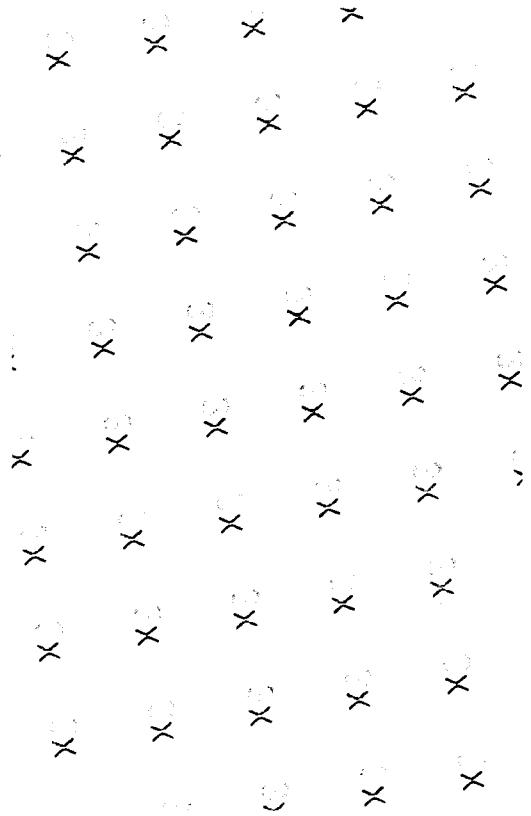












100.00 mm

50.00 mm



EXHIBIT “E”

Alan Golub

From: Alan Golub
Sent: Thursday, May 31, 2018 10:23 AM
To: 'Nirav N. Desai'
Cc: 'Maria Cabico'; 'Yugo Nagashima'; 'Dennies Varughese'; 'Monica Riva Talley'; 'Dana Justus'; 'acalmann@saiber.com'; 'jhalpern@saiber.com'; Gregg Tabakin
Subject: RE: Juul Labs v. King Distribution
Attachments: 2018-05-31 Front Package Design.jpg; 2018-05-31 Back Package Design.jpg

e2DraftID: bca4079f7e

Following up on yesterday's e-mail, here are two additional images that should help: straight-on depictions of the front and back of the newly redesigned 3X package.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
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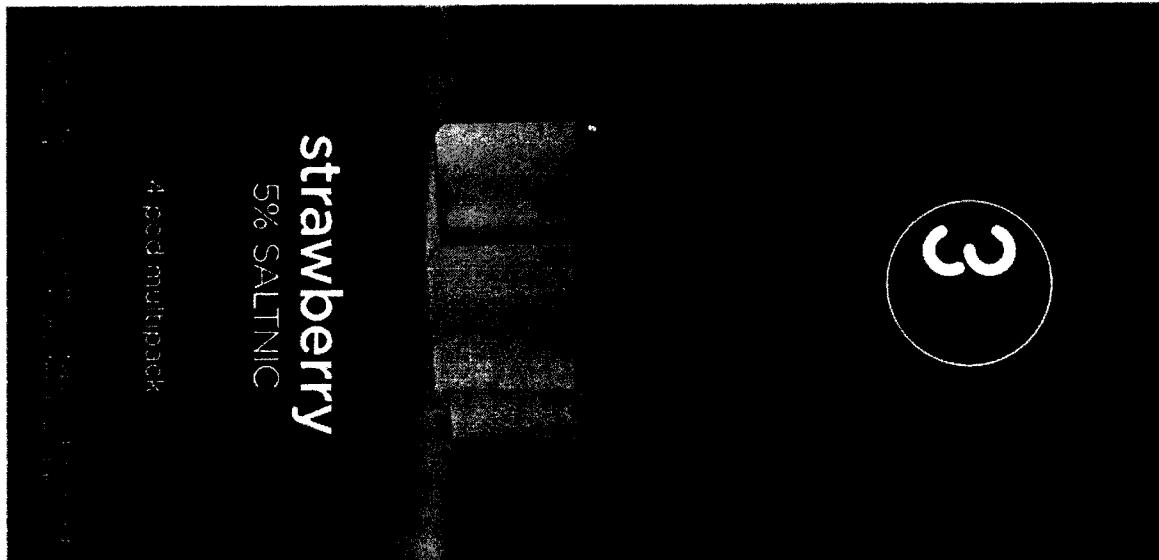
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From: Alan Golub
Sent: Wednesday, May 30, 2018 3:42 PM
To: 'Nirav N. Desai' <NDESAI@sternekessler.com>
Cc: Maria Cabico <MCABICO@sternekessler.com>; Yugo Nagashima <YNagashima@sternekessler.com>; Dennies Varughese <DVARUGHE@sternekessler.com>; Monica Riva Talley <MTALLEY@sternekessler.com>; Dana Justus <DJUSTUS@sternekessler.com>; 'acalmann@saiber.com' <acalmann@saiber.com>; 'jhalpern@saiber.com' <jhalpern@saiber.com>; Gregg Tabakin <gtabakin@feinsuch.com>
Subject: RE: Juul Labs v. King Distribution

Nirav – In response to your request last night for additional images of the redesign, please see attached, consisting of a concept draft showing the front and back of the blister pack, and a concept drawing of the redesigned pod (showing front, sides, and back). Also attached are 5 images showing the front of the packaging and 1 image showing the back, which collectively should be sufficient to address any readability issues.

Thanks,
Alan

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.



KODA Construction LLC

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Keep away from children and pets

WARNING:
This product contains nicotine.
Nicotine is an addictive chemical.



EXHIBIT “F”

Alan Golub

From: Alan Golub
Sent: Thursday, June 07, 2018 1:40 PM
To: Monica Riva Talley; Nirav N. Desai; 'acalmann@saiber.com'
Cc: Maria Cabico; Yugo Nagashima; Dennies Varughese; Dana Justus; 'jhalpern@saiber.com'; Gregg Tabakin
Subject: Re: Juul Labs v. King Distribution
Attachments: image002.png; image003.png; 2018-06-07 Revised 3X Packaging.pdf; 2018-06-08 Revised 3X Blister Pack and Pods.pdf

Monica -

In response to the below feedback provided on behalf of your client, please see the attached images showing all sides of the revised 3X packaging, and the 3X blister pack (front and back). Virtually all elements of the 3X packaging, both internal and external, have now been substantially revised top to bottom to address the issues and concerns raised by Juul.

As mentioned in my 6/5 e-mail to Nirav and Arnie, I would like to have a conference call among counsel to discuss the status of this matter and the next steps forward to amicable resolution.

I am available any time tomorrow (6/8) and have good availability on Monday (6/11). Please advise of a time that works for all counsel who need or wish to participate and I will circulate a call-in number.

Alan Golub
Of Counsel Attorney

7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976

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From: Monica Riva Talley <MTALLEY@sternekessler.com>
Date: Tuesday, June 5, 2018 at 6:16 PM

Alan Golub

From: Alan Golub
Sent: Thursday, June 07, 2018 1:49 PM
To: Monica Riva Talley; Nirav N. Desai; acalmann@saiber.com'
Cc: Maria Cabico; Yugo Nagashima; Dennies Varughese; Dana Justus; jhalpern@saiber.com'; Gregg Tabakin
Subject: Re: Juul Labs v. King Distribution
Attachments: image002.png; image003.png; 2018-06-07 Revised 3X Packaging ver.2.pdf; 2018-06-07 Revised 3X Blister Pack and Pods ver.2.pdf

All -

Apologies, but please replace the images sent a few minutes ago with the attached, which reflect even larger package dimensions. Thank you.

Alan Golub
Of Counsel Attorney

7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976

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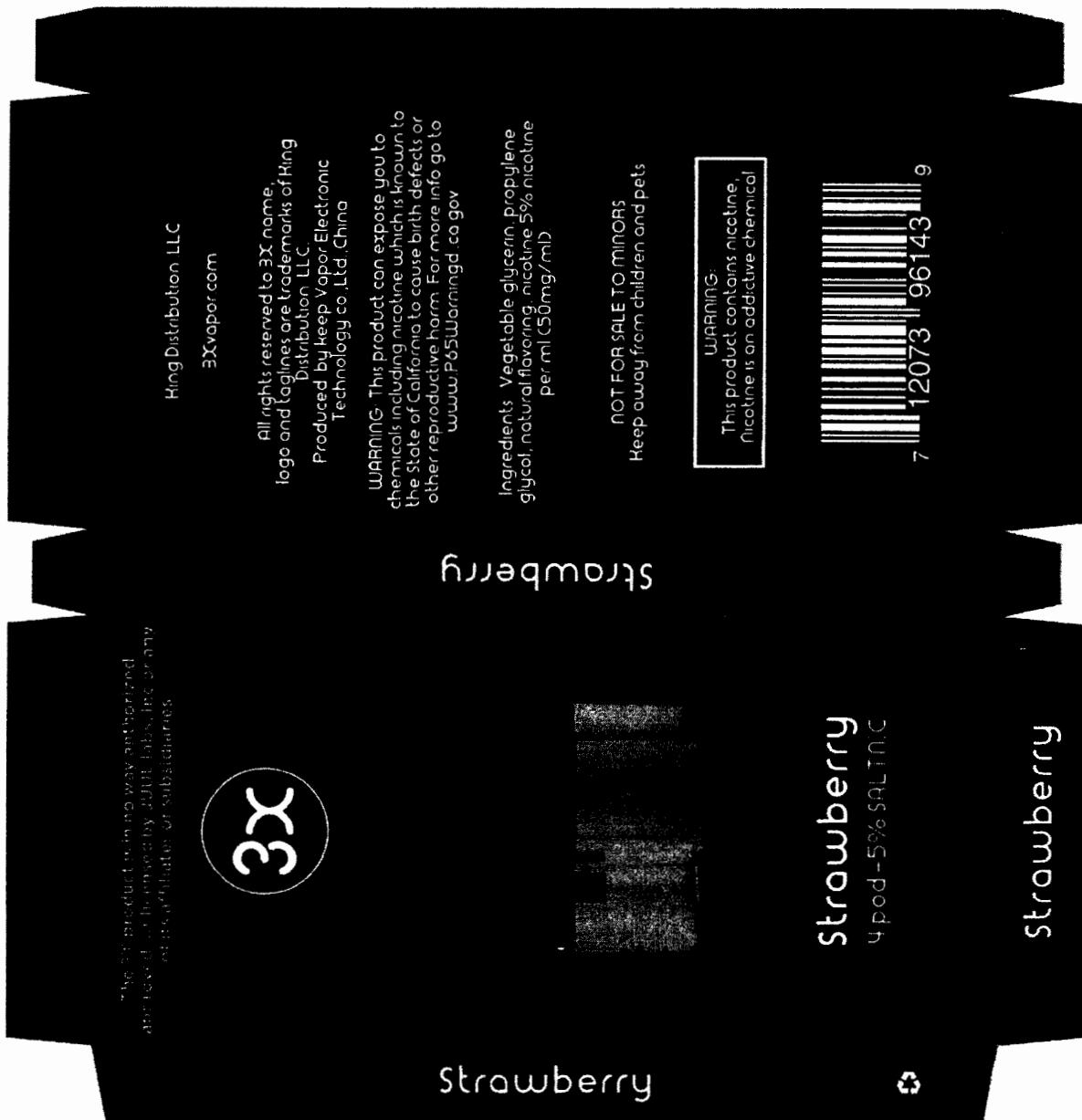
From: Alan Golub <agolub@feinsuch.com>

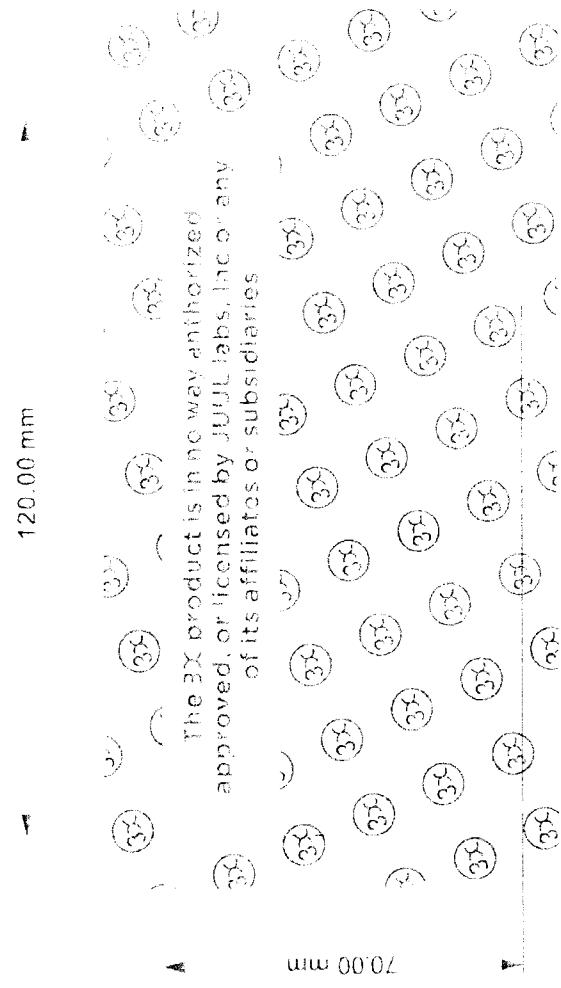
Date: Thursday, June 7, 2018 at 1:39 PM

To: Monica Riva Talley <MTALLEY@sternekessler.com>, "Nirav N. Desai" <NDESAI@sternekessler.com>, acalmann@saiber.com" <acalmann@saiber.com>

Cc: Maria Cabico <MCABICO@sternekessler.com>, Yugo Nagashima <YNagashima@sternekessler.com>, Dennies Varughese <DVARUGHE@sternekessler.com>, Dana Justus <DJUSTUS@sternekessler.com>, Jakob Halpern

SIZE:121*71*13MM





Alan Golub

From: Alan Golub
Sent: Friday, May 25, 2018 1:54 PM
To: 'ting@andu-ecig.com'
Cc: Gregg Tabakin; John@buzzecig.com; Rami M. Salim; Michelle Oswald
Subject: Juul Labs LLC v. King Distribution LLC - Consent Order (K609-1)
Attachments: 2018-05-25 Letter to Manufacturer.pdf; 2018-05-22 Consent Preliminary Injunction Order.pdf

To Whom it May Concern –

Please see attached.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
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EXHIBIT “H”



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery and E-Mail to Patel_prakash43@yahoo.com

7/ELEVEN
564 Route 22
North Plainfield, NJ 07060

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327170815

Ship date
Fri, 5/25/2018

Michelle Oswald
Finn, Such, Kahn & Shepard, P.C.
Parsippany, NJ 07054
US

Delivery date:
Tue, 5/29/2018 11:52 am

7/Eleven
564 Route 22
PLAINFIELD, NJ 07060
US



Delivered

Shipment Facts

Our records indicate that the following package has been delivered



Tracking number:	772327170815
Status:	Delivered 05/29/2018 11:52 AM Signed for By: J JAIME
Reference:	K609-1
Signed for by:	J JAIME
Delivery location:	NORTH PLAINFIELD, NJ
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.

Alan Golub

From: Alan Golub
Sent: Friday, May 25, 2018 2:11 PM
To: 'Patel_prakash43@yahoo.com'
Cc: Gregg Tabakin; John@buzzecig.com; Michelle Oswald
Subject: Juul Labs LLC v. King Distribution LLC - Consent Order (K609-1)
Attachments: 2018-05-25 Letter to 7-11 N. Plainfield.pdf; 2018-05-22 Consent Preliminary Injunction Order.pdf

To Whom it May Concern –

Please see attached.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
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ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery and E-Mail to parsons.brian716@outlook.com

BAYSIDE COMPANY
9079 4th St N
Saint Petersburg, FL 33702

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327199354

Ship date
Fri, 5/26/2018

Michelle Oswald
Fein Such Kahn & Shepard PC
Paramus NJ 07054
US



Delivery date
Tue, 5/29/2018 11:31 am

Bayside Company
9079 4th St N
ST PETERSBURG FL 33702
US



Shipment Facts

Our records indicate that the following package has been delivered

Tracking number:	<u>772327199354</u>
Status:	Delivered 05/29/2018 11:31 AM Signed for By K VOSE
Reference:	K609-1
Signed for by:	K VOSE
Delivery location:	SAINT PETERSBURG FL
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.

Alan Golub

From: Alan Golub
Sent: Friday, May 25, 2018 2:40 PM
To: 'parsons.brian716@outlook.com'
Cc: Gregg Tabakin; John@buzzecig.com; Michelle Oswald
Subject: Juul Labs LLC v. King Distribution LLC - Consent Order - Notice to Bayside Company (K609-1)
Attachments: 2018-05-22 Consent Preliminary Injunction Order.pdf; 2018-05-25 Letter to 7-11 Bayside.pdf

To Whom it May Concern –

Please see attached.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
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ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery and E-Mail to Bostonwholesaleoutlet@gmail.com

BOSTON WHOLESALE OUTLET
156 Williams Street
Chelsea, MA 02150

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

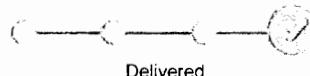
Tracking # 772327224966

Ship date:
Fri, 5/25/2018

Michelle Oswald
Fein, Such, Kann & Shepard, PC
Paramus, NJ 07054
US

Delivery date
Tue, 5/29/2018 1:07 pm

Boston Wholesale Outlet
156 Williams Street
CHELSEA, MA 02150
US



Shipment Facts

Our records indicate that the following package has been delivered.



Tracking number:	<u>772327224966</u>
Status:	Delivered 05/29/2018 1:07 PM Signed for By: M MIKE
Reference:	K609-1
Signed for by:	M MIKE
Delivery location:	CHELSEA, MA
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.

Alan Golub

From: Alan Golub
Sent: Friday, May 25, 2018 2:41 PM
To: 'Bostonwholesaleoutlet@gmail.com'
Cc: Gregg Tabakin; John@buzzecig.com; Michelle Oswald
Subject: Juul Labs LLC v. King Distribution LLC - Consent Order - Notice to Boston Wholesale (K609-1)
Attachments: 2018-05-22 Consent Preliminary Injunction Order.pdf; 2018-05-25 Letter to Boston Wholesale.pdf

To Whom it May Concern –

Please see attached.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
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ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

CEDAR SMOKE INC
2 Arnot St.
Lodi, NJ 07644

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327244729

Ship date:
Fri, 5/26/2018

Michelle Oswald
Fein, Such, Kahn & Shepard, P.C.
Parsippany, NJ 07054
US



Delivery date:
Tue, 5/29/2018 1:43 pm

Cedar Smoke, Inc.
2 Arnold Street
LODI, NJ 07644
US



Shipment Facts

Our records indicate that the following package has been delivered.

Tracking number:	<u>772327244729</u>
Status:	Delivered 05/29/2018 1:43 PM Signed for by: A NA
Reference:	K600-1
Signed for by:	A NA
Delivery location:	LODI, NJ
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct, Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery and Email hpuja1@gmail.com

JAY JAY DISTRIBUTORS, INC.
280 North Midland Ave.
Building #H-3
Saddle Brook, NJ 07663

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327282763

Ship date:
Fri, 5/25/2018

Delivery date
Tue, 5/29/2018 1:37 pm

Michelle Oswald
Fein, Sutl, Kahn & Shepard, PC
Parsippany, NJ 07054
US

Jay Jay Distributors, Inc.
280 North Midland Avenue
Building H-3
SADDLE BROOK, NJ 07663
US



Shipment Facts

Our records indicate that the following package has been delivered.



Tracking number:	<u>772327282763</u>
Status:	Delivered, 05/29/2018 1:37 PM Signed for By: A HOJIRAN
Reference:	K609-1
Signed for by:	A HOJIRAN
Delivery location:	SADDLE BROOK, NJ
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.

Alan Golub

From: Alan Golub
Sent: Friday, May 25, 2018 2:43 PM
To: 'hpuja1@gmail.com'
Cc: Gregg Tabakin; John@buzzecig.com; Michelle Oswald
Subject: Juul Labs LLC v. King Distribution LLC - Consent Order - Notice to Jay Jay Distributors (K609-1)
Attachments: 2018-05-22 Consent Preliminary Injunction Order.pdf; 2018-05-25 Letter to Jay Jay Distributors.pdf

To Whom it May Concern –

Please see attached.

Alan Golub
Of Counsel Attorney
Fein, Such, Kahn & Shepard, P.C.
7 Century Drive, 2nd Floor
Parsippany, New Jersey 07054
Tel: (973) 538-4700 Ext 3282
Fax: (973) 397-2976
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ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

KP WHOLESALERS LLC
17A Progress Street
Edison, NJ 08820

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327303401

Ship date:
Fri, 5/25/2018

Michelle Oswald
Fein, Sudl, Kahr & Shepard, PC
Paramus, NJ 07654
US



Delivery date
Tue, 5/29/2018 12:26 pm

KP Wholesalers LLC
17A Progress Street
EDISON, NJ 08810
US



Shipment Facts

Our records indicate that the following package has been delivered.

Tracking number:	<u>772327303401</u>
Status:	Delivered 05/29/2018 12:26 PM Signed for by: KP
Reference:	KC09-1
Signed for by:	KP
Delivery location:	EDISON, NJ
Delivered to:	Residence
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday Residential Delivery
Standard transit:	5/29/2018 by 2:00 pm

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Thank you for your business.



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

LITTLE FALLS CORP
355 US Highway 46 E
Little Falls, NJ 07424

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the “Order”). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

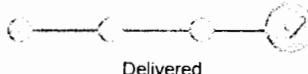
cc: King Distribution LLC (via e-mail)

Your package has been delivered

Tracking # 772327326722

Ship date:
Fri, 5/25/2018

Michelle Oswald
Fein, Such, Kahn & Shepard, PC
Paramus, NJ 07054
US



Delivery date:
Tue, 5/29/2018 2:56 pm

Little Falls Corp
355 US Highway 40 E
LITTLE FALLS, NJ 07424
US



Shipment Facts

Our records indicate that the following package has been delivered.

Tracking number:	<u>772327326722</u>
Status:	Delivered 05/29/2018 2:56 PM Signed for By D ALEX
Reference:	K609-1
Signed for by:	D ALEX
Delivery location:	LITTLE FALLS, NJ
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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Thank you for your business.



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

MAC'S DISTRIBUTION & WHOLESALE LLC
1 Comanche Trail
Vernon, NJ 07462

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)



Shipment Receipt

Address Information

Ship to:

Select or enter
 Mac's Distribution &
 Wholesale LLC
 1 Comanche Trail
 VERNON, NJ
 07462
 US
 973-538-4700 187

Ship from:

Michelle Oswald
 Fein, Such, Kahn & Shepard,
 PC
 7 Century Drive
 Suite 201
 Parsippany, NJ
 07054
 US
 9735384700 187

Shipment Information:

Tracking no.: 772327350050

Ship date: 05/25/2018

Estimated shipping charges: 0.00

Package Information

Pricing option: FedEx Standard Rate

Service type: Standard Overnight

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.10 LBS

Declared Value: 0.00 USD

Special Services: Direct signature required

Pickup/Drop-off: Use an already scheduled pickup at my location

Billing Information:

Bill transportation to: Billable-921

F123-99: K609-1

00:

00:

Administration:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.



ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

EXCELENTE SMOKE SHOP, LLC.
919 Main Street
Paterson, NJ 07503

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

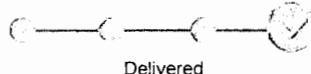
Tracking # 772327374871

Ship date
Fri, 5/25/2018

Michelle Oswald
Fein, Such, Kahn & Steiner, PC
Parsippany NJ 07054
US

Delivery date
Tue, 5/29/2018 11:24 am

Excelente Smoke Shop, LLC.
819 Main Street
PATERSON NJ 07503
US



Shipment Facts

Our records indicate that the following package has been delivered.



Tracking number:	<u>772327374871</u>
Status:	Delivered 05/29/2018 11:24 AM Signed for By: S MAMAN
Reference:	K609-1
Signed for by:	S MAMAN
Delivery location:	PATERSON NJ
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/Services:	Direct Signature Required Deliver Weekday
Standard transit:	5/29/2018 by 3:00 pm

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ALAN S. GOLUB
Of Counsel

Direct Line: 973-867-4538
agolub@feinsuch.com
Reply to: Parsippany

*Admitted in NJ and NY

May 25, 2018

Via FedEx Delivery

JOE GRODZICKI
4 Paris Ave
Edison, NJ 08820

Re: *Juul Labs, Inc. v. King Distribution LLC, et al.*
Civil Action No.: 18-9233 (SDW)

To Whom It May Concern:

This office represents Defendant King Distribution LLC and other defendants in the above-referenced matter alleging intellectual property infringement with respect to certain 3X brand products that were or may have been sold to you. Enclosed please find a copy of a May 22, 2018 Consent Preliminary Injunction Order that was stipulated to by the parties and entered by the Court (the "Order"). Pursuant to Paragraph 8 of the Order, Defendants are required to give notice and a copy of the Order to certain other parties, potentially including third-party resellers such as yourself to whom Defendants may have sold 3X product.

Please be guided accordingly.

Respectfully submitted,

/Alan S. Golub/

Alan S. Golub

Enclosure

cc: King Distribution LLC (via e-mail)

Your package has been delivered

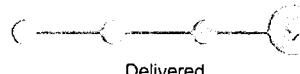
Tracking # 772327391988

Ship date:
Fri, 5/25/2018

Michelle Oswald
Fein, Such, Kahn & Shepard, PC
Paramus, NJ 07654
US

Delivery date:
Tue, 5/29/2018 7:23 pm

Joe Grodzicki
4 Paris Avenue
EDISON, NJ 08820
US



Delivered

Shipment Facts

Our records indicate that the following package has been delivered.



Tracking number:	<u>772327391988</u>
Status:	Delivered - 05/29/2018 7:15 PM Signed for by: J. GRODZICKI
Door Tag number:	DT104536017980
Reference:	K609-1
Signed for by:	J. GRODZICKI
Delivery location:	EDISON, NJ
Delivered to:	FedEx Location
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb
Special handling/services:	Direct Signature Required Deliver Weekday Residential Delivery
Standard transit:	5/29/2018 by 6:00 pm

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